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7 **IN THE SUPREME COURT**  
8 **STATE OF ARIZONA**

9 PETITION TO AMEND RULES 2, 6, 7,  
10 9, 10, 17, 33, 35, 36, 38, ARIZONA  
11 RULES OF PROBATE PROCEDURE

Supreme Court No. R-10-0020

**Comment of the State Bar of  
Arizona Regarding Petition to  
Amend Rules 2, 6, 7, 9, 10, 17, 33,  
35, 36 and 38, Arizona Rules of  
Probate Procedure**

12 The State Bar of Arizona, upon the recommendation of the Probate and Trust  
13 Section, supports the petitioner's proposed amendments to certain provisions of the  
14 Arizona Rules of Probate Procedure. The petition seeks to improve the functioning  
15 of the system of justice by making the Rules internally consistent in terminology  
16 and by clarifying upon whom an objection to a petition must be served.

17 The petition also seeks to:

- 18 1. make more transparent disclosure of relevant information to  
19 interested persons in a decedent's estate in order that it will  
20 more likely result in actual notice to interested persons;
- 21 2. make several processes concerning protected persons more  
22 transparent and efficient;
- 23 3. clarify the role of a court-appointed counsel once a ward has  
24 died;
- 25 4. clarify the process for approval of attorneys' and fiduciaries'  
26 fees under Rule 33; and

- 1           5.     clarify the time within which a guardian must seek extension  
2                 for inpatient mental health care and treatment for a ward.

3                                 Conclusion

4           Based upon the above, the State Bar of Arizona believes that the adoption of  
5     these amendments would improve the functioning of the system of justice, a stated  
6     goal of the State Bar of Arizona.

7                                 RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of May 2010.

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10   John A. Furlong  
11   General Counsel  
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13     Electronic copy filed with the Clerk of  
14     the Supreme Court of Arizona  
15     this 11<sup>th</sup> day of May, 2010,

16     And a copy was mailed to:  
17     Jay M. Polk, Esquire  
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21     By: Kathleen Furlong  
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